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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Hideo TAKAGI et al.**

Group Art Unit: **2818**

Serial No.: **10/714,909**

Examiner: **Phuc T. Dang**

Filed: **November 18, 2003**

Confirmation No.: **4001**

For: **SEMICONDUCTOR MEMORY DEVICE AND METHOD OF
FABRICATING THE SAME**

Attorney Docket Number: **032108**

Customer Number: **38834**

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Date: January 21, 2005

Sir:

This paper is submitted in response to the Official Action dated December 22, 2004.

In the Action, restriction is required between Group I, Claims (1-20) and Group II, Claims (21-22).

Applicants hereby elect the subject matter of Group I, Claims (1-20) for prosecution in this application. This election is made without traverse, and it is understood that Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

Response to Restriction Requirement

Serial No. 10/714,909

Attorney Docket No. 032108

If this paper is not timely filed, Applicant(s) respectfully petition(s) for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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